

***IN THE DISTRICT COURT OF THE UNITED STATES  
For the Western District of New York***

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**March 2007 Grand Jury  
(Empaneled March 21, 2007)**

**The United States of America**

**INDICTMENT**

**-VS-**

**Violations:  
21 U.S.C. § 846**

**DANNY MITCHELL**

**COUNT I**

**The Grand Jury Charges:**

On or about the 25th day of January 2008, in the Western District of New York, the defendant, **DANNY MITCHELL**, did knowingly, intentionally and unlawfully attempt to possess with intent to distribute a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

**All in violation of Title 21, United States Code, Section 846.**

**COUNT II**

**The Grand Jury Further Charges:**

Between in or about November 2007, the exact date being unknown, and on or about the 25th day of January 2008, in the Western District of New York and elsewhere, the defendant, **DANNY MITCHELL**, did knowingly, willfully and unlawfully combine, conspire and agree with others, known and unknown, to commit offenses against the United States, that is, to possess with intent to distribute, and to distribute, a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

**All in violation of Title 21, United States Code, Section 846.**

DATED: Rochester, New York, June 12, 2008.

TERRANCE P. FLYNN  
United States Attorney

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A TRUE BILL:

S/FOREPERSON  
FOREPERSON